

An amendment offered by Senator Moore changing the date of election as it appears in H. J. R. No. 5 to the date of the general election was adopted by the committee. Senator Holbrook then made a motion that H. J. R. No. 5 be reported back to the Senate with the recommendation that it do not pass. Senator DeBerry offered as a substitute motion that H. J. R. No. 5 be referred to a subcommittee composed of three members who were to report back to the committee. This substitute motion was carried by a vote of six yeas and four nays. The Chair appointed the following subcommittee: Rawlings, DeBerry and Holbrook.

At 5:30 o'clock p. m. the committee recessed subject to call of the Chair.

**BLACKERT, Chairman.**

Minutes of Committee on Constitutional Amendments, Held  
March 13, 1935.

Pursuant to call of the Chair, the Committee on Constitutional Amendments met at 2:00 o'clock p. m., Wednesday, March 13, with the following members:

Present: Blackert, chairman; Moore, DeBerry, Hopkins, Hornsby, Martin, Oneal, Rawlings, Hill, Sulak and Van Zandt.

Excused: Holbrook.

S. J. R. No. 9 was amended by the committee and reported favorably by a viva voce vote.

S. J. R. No. 27 was reported favorably by a vote of five yeas and three nays.

S. J. R. No. 18 was reported favorably by a vote of seven yeas and two nays.

S. J. R. No. 10 was taken up and Senator Hornsby's substitute as amended by Senator Oneal was adopted. Senator Van Zandt made a motion that the amendment be reported with the recommendation that it do not pass. Senator Rawlings made substitute motion that it do pass. The substitute motion failed to carry and the motion to report unfavorably carried by a vote of five yeas and two nays, Senator Rawlings giving notice of his intention to file a favorable minority report.

At 4:40 o'clock p. m. the commit-

tee recessed subject to call of the Chair.

**BLACKERT, Chairman.**

Minutes of Senate Finance Committee, Held March 18, 1935.

**Regular Meeting.**

Present: Senators Redditt, Beck, Burns, Duggan, Hill, Holbrook, Hopkins, Hornsby, Martin, Neal, Oneal, Poage, Rawlings, Regan, Sanderford, Small, Stone, Sulak, Van Zandt and Woodruff.

Absent—excused. Senator Hughston.

H. B. No. 494 was reported adversely with favorable committee substitute.

Senator Poage recorded as voting nay on motion to report adversely with favorable committee substitute.

H. B. No. 444 was reported favorably.

H. B. No. 11 was ordered reported adversely with favorable committee substitute.

**NOEL K. BROWN, Secretary.**

## **FORTY-FIRST DAY.**

**(Continued.)**

Senate Chamber,  
Austin, Texas,  
March 21, 1935.

The Senate met at 9:30 o'clock a. m., pursuant to recess, and was called to order by Senator Small.

### **House Bill No. 230.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Butler:

H. B. No. 230, A bill to be entitled "An Act appropriating the sum of eighteen hundred dollars, or so much thereof as may be necessary, out of any monies in the General Revenue Fund of this State, not otherwise appropriated, for the purpose of hiring two additional stenographers for the Governor's office, together with necessary materials, etc., such appropriation to last throughout the current biennium, ending August 31, 1935, and declaring an emergency."

Senator Moore sent up the following amendment:

Amend H. B. No. 230 by striking out the words and figures "eighteen hundred dollars," and by inserting in lieu thereof the words and figures "eleven hundred dollars."

MOORE.

Adopted.

The bill was read second time as amended and passed to third reading by viva voce vote.

Senator Moore asked unanimous consent to "amend the caption to conform to the body of the bill."

Granted.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 230 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.	Regan.
Hughston.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Martin.	Woodruff.
Moore.	

Nays—1.

Sulak.

Absent—Excused.

Fellbaum.	Regan.
Hughston.	

Communication.

Senator Holbrook sent up a communication for the Secretary to read, and asked unanimous consent that it be printed in the Journal.

There was objection.

Senator Holbrook moved that it be printed in the Journal.

Point of Order.

Senator DeBerry raised the point of order that the motion was out of order as the order of business was the consideration of House bills.

The Chair, Senator Small presiding, sustained the point of order.

Senate Bill No. 147.

Motion to Recommit.

Senator Woodruff moved to recommit S. B. No. 147 to the Committee on Insurance and lay the motion on the table.

Point of Order.

Senator Holbrook raised the point of order, that the motion displaced the regular order of business.

The Chair, Senator Small presiding, sustained the point of order.

House Bill No. 576.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Daniel:

H. B. No. 576, A bill to be entitled "An Act providing relief for the Reynard Common School District No. 55, and for the Mount Zion Common School District No. 42, of Houston County, Texas, in order to aid said school districts in rebuilding their schools which were destroyed by cyclone which struck the communities of Reynard and Mount Zion on the 7th day of February, 1935; providing for work relief; making an appropriation to said districts for said properties, and declaring an emergency."

Senator Burns explained the bill.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Burns the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 576 was put on its third reading and final passage by the following vote:

## Yeas—26.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Westerfeld.
Moore.	Woodruff.

## Nays—2.

DeBerry.	Van Zandt.
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## Absent—Excused.

Fellbaum.	Regan.
Hughston.	

Read third time and finally passed by the following vote:

## Yeas—21.

Beck.	Neal.
Blackert.	Rawlings.
Burns.	Redditt.
Cotten.	Sanderford.
Davis.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Westerfeld.
Martin.	Woodruff.
Moore.	

## Nays—7.

Collie.	Pace.
DeBerry.	Poage.
Duggan.	Van Zandt.
Oneal.	

## Absent—Excused.

Fellbaum.	Regan.
Hughston.	

## H. C. R. No. 9.

Senator Rawlings called from the Journal his motion to reconsider the vote by which H. C. R. No. 9 failed of adoption.

H. C. R. No. 9, Granting Joe B.

Freidel permission to operate a cigar stand in the Capitol Building.

The motion to reconsider lost by the following vote:

## Yeas—11.

Burns.	Poage.
Davis.	Rawlings.
Hill.	Shivers.
Moore.	Sulak.
Oneal.	Van Zandt.
Pace.	

## Nays—11.

Beck.	Hopkins.
Collie.	Hornsby.
Cotten.	Neal.
DeBerry.	Redditt.
Duggan.	Small.
Holbrook.	

## Absent.

Blackert.	Stone.
Martin.	Westerfeld.
Sanderford.	Woodruff.

## Absent—Excused.

Fellbaum.	Regan.
Hughston.	

## House Bill No. 382.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Aikin:

H. B. No. 382, A bill to be entitled "An Act making an appropriation from the State Treasury for the preparation, checking, investigation, and correction of the scholastic census to the State Department of Education; providing money for salaries, wages, rent, equipment, supplies, and necessary traveling expenses incident thereto for the sum of eighty-five hundred dollars (\$8,500), for the year ending September 1, 1935, and declaring an emergency."

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 382 was put on its third reading and final passage by the following vote:

## Yeas—28.

Beck.	Collie.
Blackert.	Cotten.
Burns.	Davis.

DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Absent—Excused.

Fellbaum.	Regan.
Hughston.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.	Regan.
Hughston.	

#### House Bill No. 547.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Payne:

H. B. No. 547, A bill to be entitled "An Act making an emergency appropriation of ten thousand dollars (\$10,000) for Sul Ross State Teachers College for the purpose of erecting cottages on the campus of the said college, and declaring an emergency."

Senator Small sent up the following amendment.

Amend H. B. No. 547 by adding new sections as follows:

There is hereby appropriated out of the general revenue funds of the State of Texas, not otherwise appropriated, the sum of \$2500.00, or so much thereof as may be neces-

sary, for the purpose of constructing needed and necessary repairs upon the Administration Building of the West Texas State Teachers College at Canyon, said funds to be available immediately.

There is hereby appropriated out of the general revenue funds of the Treasury, not otherwise appropriated, the sum of \$7500.00 to be used for the purpose of purchasing materials with which to finish the construction of a men's dormitory to be known as Buffalo Court at the West Texas State Teachers College at Canyon, Texas, said funds to be available immediately.

SMALL.

Read and adopted.

Senator Hopkins sent up the following amendment.

Amend H. B. No. 547 by adding a new section as follows:

There is hereby appropriated out of the general revenue funds of the State of Texas, not otherwise appropriated, the sum of Eight Thousand Five Hundred Seventy-five Dollars (\$8,575.00) for the purpose of making needed and necessary repairs and constructing buildings at the Southwest Texas State Teachers College at San Marcos. Said funds to be available immediately.

HOPKINS.

Read and adopted.

Senator Small sent up the following amendment:

"Amend the caption to conform to the body of the bill."

SMALL.

Adopted.

The committee amendments were adopted.

The bill was read second time as amended and pass to third reading by viva voce vote.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 547 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Holbrook.
Collie.	Hopkins.
Cotten.	Hornsby.
Davis.	Martin.
DeBerry.	Moore.

Neal.	Shivers.
Oneal.	Small.
Pace.	Stone.
Poage.	Sulak.
Rawlings.	Van Zandt.
Redditt.	Westerfeld.
Sanderford.	Woodruff.

Absent—Excused.

Fellbaum.	Regan.
Hughston.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—4.

Cotten.	Hill.
DeBerry.	Poage.

Absent—Excused.

Fellbaum.	Regan.
Hughston.	

#### House Bill No. 329.

Senator Poage moved to take up H. B. No. 329 out of its regular order.

There was objection.

Senator Poage moved to set H. B. No. 329 as special order today at 3 o'clock p. m.

Senator Poage moved to lay on the table subject to call H. B. No. 329.

#### Point of Order.

Senator Rawlings raised the point of order that the bill was not before the Senate.

The Chair, Senator Holbrook presiding, sustained the point of order.

Senator Poage renewed his motion to set for special order H. B. No. 329.

The motion to set for special order failed by viva voce vote.

#### House Bill No. 417.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Leonard:

H. B. No. 417, A bill to be entitled "An Act making appropriations to pay salaries to judges, and for the support and maintenance of the judicial department of the State government for the two (2) year period beginning September 1, 1935, and ending August 31, 1937; requiring certain fees paid to clerks or officers of all appellate courts to be deposited monthly in the State Treasury, and that certain fees be retained by said clerks or officers as additional compensation for their services, etc., and declaring an emergency."

Senator Redditt explained the committee substitute and moved its adoption.

The motion prevailed by the following vote:

Yeas—14.

Beck.	Rawlings.
Burns.	Redditt.
Davis.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Pace.	Woodruff.

Nays—13.

Blackert.	Neal.
Collie.	Oneal.
Cotten.	Poage.
DeBerry.	Sanderford.
Duggan.	Sulak.
Hill.	Westerfeld.
Holbrook.	

Absent—Excused.

Fellbaum.	Martin.
Hughston.	Regan.

Senator Oneal sent up the following amendment:

Amend S. C. S. for H. B. No. 417, by fixing the salaries of judges at the same amounts as fixed for the respective positions in the General Appropriation Act of the Regular Session of the Forty-third Legislature.

ONEAL.

Read.  
Pending.

**House Bill No. 257.**

Senator Hornsby received unanimous consent to take up a local bill.

By Mr. Padgett and Mr. Patterson:  
H. B. No. 257, A bill to be entitled "An Act declaring the policy of the Legislature to provide for the general welfare by co-operation with the Federal government in making effective the provisions of the National Agricultural Adjustment Act and the National Recovery Act within the State of Texas with reference to producers, distributors, and processors of milk and milk products; defining certain terms used in the bill; providing for the submission of code or codes to the milk control board by groups engaged in the milk industry in counties having a population in excess of 77,600 and less than 77,800, according to the Federal census last preceding the time when said submission is made from said counties for the setting up of a code, codes, or agreements, etc., and declaring an emergency."

The committee amendments were adopted.

On motion of Senator Hornsby the "caption was amended to conform to the body of the bill."

The bill was read second time as amended and passed to third reading by viva voce vote.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 257 was put on its third reading and final passage by the following vote:

**Yeas—27.**

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Sanderford.
DeBerry.	Shivers.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

**Absent—Excused.**

Fellbaum.	Martin.
Hughston.	Regan.

Read third time and finally passed by the following vote:

**Yeas—24.**

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

**Nays—2.**

DeBerry.	Hill.
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Present—Not Voting.

Collie.

Absent—Excused.

Fellbaum.	Martin.
Hughston.	Regan.

**House Bill No. 779.**

Senator Van Zandt moved that the Senate accede to the request of the House for the appointment of a conference committee to adjust the differences between the two Houses on H. B. No. 779.

The motion prevailed.

**Conference Committee Appointed.**

The Chair appointed the following conferees on the part of the Senate on H. B. No. 779: Senators Shivers, Small, Pace, Sulak and Martin.

**Senate Resolution No. 62.**

Be It Resolved, That a floral offering be sent to the funeral of Mrs. Elizabeth Fellbaum, mother of our colleague, Senator Ernest Fellbaum, and to be paid for out of the contingent fund of the Forty-fourth Legislature.

HOPKINS.

Read and adopted.

**Senator Excused.**

Senator Martin was excused for the day on account of important business on motion of Senator Sanderford.

**Messages from the House.**

The Chair recognized the Doorkeeper, who introduced a messenger from the House, with the following messages:

Hall of the House of Representatives,  
Austin, Texas, March 20, 1935.

Hon. Walter F. Woodul, President of  
the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to H. B. No. 519, and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Hyder, Good, Spears, Tarwater and Young.

The House has concurred in Senate amendments to H. C. R. No. 15 by a viva voce vote.

The House has refused to concur in Senate amendments to H. B. No. 779, and requests the appointment of a conference committee to adjust the differences between the two Houses. The following conferees are appointed on the part of the House:

McKee, Knetsch, Graves, Canon and Stanfield.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 21, 1935.

Hon. Walter F. Woodul, President of  
the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 50, Authorizing the appointment of a committee of five members from the House and three members from the Senate to make a study of the cotton export situation. The following have been appointed on the part of the House: Knetsch, Olsen, Pope, Tarwater and Fuchs.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 21, 1935.

Hon. Walter F. Woodul, President of  
the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. C. R. No. 26, Authorizing the Board of Trustees of Axtell County Line Rural High School to expend money derived from payment of policy of insurance for the construction

and/or equipment of a new school building in said district, etc.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 21, 1935.

Hon. Walter F. Woodul, President of  
the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

S. B. No. 78, A bill to be entitled "An Act amending Article 7941, Revised Civil Statutes, 1925, by adding thereto Article 7941a, authorizing any fresh water supply district which has heretofore been organized under the laws of the State and has issued bonds, and any fresh water supply district hereafter organized and which may issue bonds, to refund such bonds by issuing new coupon bonds for such purpose; prescribing the rate of interest such bonds shall bear, the maturities thereof, and manner of execution providing for: the approval of such bonds by the Attorney General and registration by the Comptroller; and declaring an emergency."

S. B. No. 79, A bill to be entitled "An Act amending Article 8136, Revised Civil Statutes, 1925, by adding thereto Article 8136a, authorizing any drainage district which has heretofore been organized under the laws of the State and has issued bonds, and any drainage district hereafter organized, and which may issue bonds, to refund such bonds by issuing new coupon bonds for such purpose; prescribing the rate of interest such bonds shall bear, the maturities thereof, and manner of execution; providing for the approval of such bonds by the Attorney General and registration by the Comptroller; and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act relating to the salaries of all State officers and all State employees, except judges of the district and all appellate courts, judges of the Supreme Court Commission of Appeals, judges of the commission in aid of the Court of Criminal Appeals, Attorney General and those constitutional State officers whose salaries are specifically fixed by Constitution; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

(With amendments.)

S. B. No. 156, A bill to be entitled "An Act to amend Article 7583, Revised Civil Statutes of Texas, 1925, relating to the powers of any person, association of persons, corporation, irrigation or water improvement district, or any city or town to condemn land; and declaring an emergency."

S. B. No. 157, A bill to be entitled "An Act amending Articles 2725, and 2746a of the Revised Civil Statutes of Texas, 1925, providing for elections in certain school districts, and for the payment of the expenses thereof, and declaring an emergency."

S. B. No. 219, A bill to be entitled "An Act amending Chapter 130, Acts Regular Session, Forty-third Legislature, as heretofore amended by adding thereto two sections; one to be known as Section 1-a, to provide for the issuance of revenue bonds by independent, consolidated and common school districts and by cities and towns which have assumed control of the public schools within their boundaries, for the purpose of building additions to existing gymnasias, stadia and other recreational facilities owned by the same, and purchasing additional buildings and grounds for the purpose of constructing additions to existing gymnasias, stadia and other recreational facilities; and another section to be known as Section 3-a, to provide that any bonds issued shall be payable from the net revenues of the project after payment of the operating and maintenance charges, and declaring an emergency."

S. B. No. 390, A bill to be entitled "An Act to provide compensation for any person appointed by any district judge under the authority of Title 100 of the Revised Civil Statutes of the State of Texas (1925) to fill temporarily the office of county clerk in any county having a population of more than two hundred and seventy-five thousand persons, according to the last preceding Federal census, upon the temporary suspension of such clerks, at the rate provided by law for such clerks, and for compensation to such person in an amount so allowed by law to the person so removed for services less than one year in the proportion which the fraction of the year he serves bear to the whole year; and providing that such compensation shall be payable monthly and shall belong solely to such temporary of-

ficer, and that the officer so removed shall not require an accounting of such temporary officer for such compensation nor recover from him such compensation in any action at law or in equity; and providing that if the officer so removed shall by final judgment establish his right to such office, he shall be paid from the general fund, a sum equal to all compensation received by such temporary officer during the period of his occupancy of such office; and declaring an emergency."

H. C. R. No. 58, Petitioning Congress not to adopt any measure imposing restriction upon the existing rights of public entities of Texas in matters of acquiring and operating port facilities.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 21, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 17, Granting the consent of the State of Texas for the Federal Government to purchase lands in the State of Texas for national parks.

H. C. R. No. 31, Granting D. R. Pinney, of Hudspeth County, permission to bring suit against the State of Texas and the State Highway Commission for injuries to certain real property.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, March 21, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 460, A bill to be entitled "An Act amending Section 3 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature, as amended by Chapter 3, General Laws, Second Called Session of the Forty-third Legislature, being Article 6675-a-3, Revised Statutes; providing for form of application for registration of motor vehicles; providing any owner of a vehicle previously registered in any State for the preceding or current year may, in lieu of filing an application pre-



sent license receipt and transfer receipts; providing for making of affidavit for application if owner has lost registration receipt or transfer; providing for annual registration of vehicles in use of the United States Government; State of Texas, County, City and School Districts thereof; providing for exemption of payment of license fee on said vehicles; providing for registration of any vehicles for unexpired portion of year; providing for temporary use of a new vehicle under a dealer's license number; defining "Motor Vehicle Registration Year"; providing that application for license shall be made not later than April 1st of each year, and repealing all laws, both general and special, in conflict herewith, and declaring an emergency."

(With amendments.)

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### House Bill No. 519.

Senator Woodruff moved that the Senate grant the request of the House for the appointment of a conference committee on H. B. No. 519 to adjust the differences between the two Houses.

The motion prevailed by viva voce vote.

#### Conference Committee Appointed.

The Chair appointed the following Senators as conferees on the part of the Senate on H. B. No. 519:

Senators Woodruff, Neal, Stone, Beck and Redditt.

#### House Bill No. 417.

The question recurred on the adoption of the pending amendment by Senator Oneal to H. B. No. 417.

#### Motion to Table.

Senator Redditt moved to table the pending amendment to H. B. No. 417 by Senator Oneal.

The motion prevailed by the following vote:

#### Yeas—13.

Beck.	Sanderford.
Burns.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Pace.	Woodruff.
Redditt.	

#### Nays—12.

Collie.	Holbrook.
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Poage.
Duggan.	Sulak.
Hill.	Westerfeld.

#### Absent—Excused.

Fellbaum.	Martin.
Hughston.	Regan.

#### (Pair Recorded.)

Senator Rawlings (present) who would vote yea, with Senator Blackert (absent) who would vote nay.

Senator DeBerry sent up the following amendment:

Amend C. S. to H. B. No. 417, page 5, by striking out lines 59, 60 and 61 and inserting in lieu thereof the following:

Salaries of 124 district judges at \$4,000.00 each per year, \$496,000.00 each year.

DeBERRY.

Read and pending.

#### Motion to Recess.

Senator Woodruff at 12:04 o'clock p. m. moved that the Senate recess until 2:00 o'clock p. m. today.

Senator Woodruff yielded to Senator Sanderford to make a motion.

#### Senate Bill No. 116.

Senator Sanderford moved that S. B. No. 116 be printed on minority report and spread the motion on the Journal.

Senator Woodruff received unanimous consent to yield to himself to make a motion.

#### Motion to Suspend Rule.

Senator Woodruff moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

#### Yeas—26.

Beck.	Hopkins.
Burns.	Hornsby.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.

Sanderford.	Sulak.
Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.

Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

#### Senate Bill No. 463.

By Senator Woodruff:

S. B. No. 463, A bill to be entitled "An Act to amend Chapter 19 of the First Called Session of the Forty-first Legislature creating an Advisory Civil Judicial Council, broadening the scope of the powers and duties of said council so as to limit them to civil judicial administration, but to include therein all judicial administration, both civil and criminal; adding to the personnel of the ex-officio members of said council; continuing the present personnel of said council until the expiration of their respective terms; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

#### S. C. R. No. 27.

Senator Redditt received unanimous consent to send up the following resolution:

Whereas, The proper protection of the investments owned by the Permanent School Fund of the State of Texas is of vital importance to the people of this State in securing adequate support of the public free schools of this State; and,

Whereas, The public schools of this State own between five and seven million acres of land, the revenue from which materially supports the public free schools of this State; and,

Whereas, The laws of this State are insufficient in affording adequate protection for the investments of the Permanent School Funds and for the protection of the public school lands; and,

Whereas, The State Board of Education is not clothed with sufficient legislative authority to adequately protect funds and investments of the Permanent School Fund and is not clothed with adequate legislative authority to fully protect the public school lands; and,

Whereas, The school laws of this State are insufficient, contradictory

and confusing and need re-codifying; therefore, be it

Resolved, By the Senate of Texas, the House concurring, that a legislative committee be appointed, composed of two members of the Senate, to be appointed by the Lieutenant Governor, and two members of the House, to be appointed by the Speaker of the House of Representatives, to work with a duly authorized member of the State Board of Education, making plans and recommendations for a better and more adequate protection of the investments of the Permanent School Fund of this State and of the public school lands of this State, and, further, to make recommendations for revising the school laws of this State.

Be It Further Resolved, That said committee shall have power and authority to employ and compensate necessary employees; that said committee may call upon the Attorney General's Department for assistance and advice and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon the request of the chairman or members of said committee.

Said committee may call upon all officers of the State Government including county, district and municipal officers to render assistance to said committee, and upon the request of the chairman or members of said committee it shall be the duty of all such officers to aid and assist said committee.

That said committee shall begin and complete its investigation at the earliest practicable moment and shall submit a report in writing to the Forty-fifth Legislature within thirty days after the convening thereof in regular session. The compensation and expenses herein provided for incident to such investigation and study shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Forty-fourth Legislature, upon sworn account of persons entitled to such pay when approved by the chairman of said committee, and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Forty-fourth Legislature to meet the payment of expenses of the members of said committee, necessary employees and other expenses incident to said investigation.

Said committee, in addition to making its report and findings as herein provided, shall include in its report its recommendation of any legislation that should be enacted or any other action that should be taken.

REDDITT,  
HOLBROOK,  
DUGGAN.

Read and referred to the Committee on Educational Affairs.

#### Recess.

The Senate, at 12:20 o'clock p. m., recessed until 2 o'clock p. m.

#### After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess and was called to order by the Chair, Senator Small presiding.

#### House Bill No. 417.

Pending business was the adoption of the amendment by Senator DeBerry to H. B. No. 417.

#### At Ease.

On motion of Senator Redditt the Senate stood at ease 15 minutes.

#### Senate Called to Order.

The Senate was called to order at 2:15 o'clock p. m.

#### House Bill No. 417.

Senator Sanderford sent up the following substitute for the amendment by Senator DeBerry to C. S. for H. B. No. 417:

Amend DeBerry amendment to C. S. to H. B. No. 417, by striking out the words and figures \$4,000.00 (Four Thousand Dollars) and substituting in lieu thereof the words and figures \$4500.00 (Forty-five Hundred Dollars), and change the totals accordingly.

SANDERFORD.

Read.

The amendment by Senator Sanderford was substituted for the amendment by Senator DeBerry by the following vote:

#### Yeas—16.

Beck.	Hill.
Burns.	Hopkins.
Davis.	Hornsby.

Moore.	Small.
Pace.	Stone.
Sanderford.	Sulak.
Shivers.	Van Zandt.
Redditt.	Woodruff.

#### Nays—9.

Collie.	Neal.
Cotten.	Oneal.
DeBerry.	Poage.
Duggan.	Westerfeld.
Holbrook.	

#### Absent—Excused.

Fellbaum.	Martin.
Hughston.	Regan.

#### (Pair Recorded.)

Senator Rawlings (present) who would vote yea, with Senator Blackert (absent) who would vote nay.

Senator DeBerry sent up the following amendment to the substitute by Senator Sanderford:

Amend S. C. S. to H. B. No. 417, by striking out lines 59, 60 and 61, page 5 and inserting in lieu thereof the following:

Salaries of 124 district judges and criminal district judges at \$4200.00 each per year, \$520,800 each year.

DeBERRY.

#### Motion to Table.

Senator Moore moved to table the amendment by Senator DeBerry.

The motion to table prevailed by the following vote:

#### Yeas—15.

Beck.	Redditt.
Burns.	Sanderford.
Davis.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Pace.	Woodruff.
Rawlings.	

#### Nays—11.

Collie.	Neal.
Cotten.	Oneal.
DeBerry.	Poage.
Duggan.	Sulak.
Hill.	Westerfeld.
Holbrook.	

#### Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

The substitute by Senator Sanderford was adopted by viva voce vote.

Senator DeBerry sent up the following amendment:

Amend S. C. S. to H. B. No. 417 by setting all Judges of Courts of Civil Appeals salaries at the figures as set by the Forty-third Legislature.

DeBERRY.

Read.

#### Motion to Table.

Senator Rawlings moved to table the amendment.

The motion prevailed by the following vote:

Yeas—14.

Beck.	Rawlings.
Burns.	Redditt.
Davis.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Moore.	Stone.
Pace.	Woodruff.

Nays—12.

Collie.	Neal.
Cotten.	Oneal.
DeBerry.	Poage.
Duggan.	Sulak.
Hill.	Van Zandt.
Holbrook.	Westerfeld.

Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

Senator Westerfeld sent up the following amendment:

Amend C. S. for H. B. No. 417, by adding between lines 60 and 61, on page 6 the following:

"The salaries provided in item 1, above shall not apply to those judges now serving as juvenile judges and who are now receiving additional compensation by reason of such service, and their salaries shall be and are hereby fixed at \$4,000.00 per year each."

WESTERFELD.

Read.

#### Point of Order.

Senator Van Zandt raised the point of order that the amendment was discriminatory, making one district judge receive one salary and another a different salary.

The Chair sustained the point of order.

Senator DeBerry sent up the following amendment:

Amend by making all salaries of Judges of Courts of Civil Appeals \$5800.00 and changing totals to conform.

DeBERRY.

Read.

The amendment by Senator DeBerry was adopted by the following vote:

Yeas—20.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Davis.	Poage.
DeBerry.	Redditt.
Duggan.	Shivers.
Hill.	Small.
Hopkins.	Stone.
Hornsby.	Westerfeld.
Moore.	Woodruff.

Nays—5.

Cotten.	Sulak.
Holbrook.	Van Zandt.
Sanderford.	

Absent—Excused.

Fellbaum.	Martin.
Hughston.	Regan.

(Pair Recorded.)

Senator Rawlings (present) who would vote yea, with Senator Blackert (absent) who would vote nay.

Senator Davis sent up the following amendment:

Amend C. S. to H. B. No. 417, at page 4, line 55, by changing the figures "\$6500.00" to "\$5800.00."

DAVIS.

Read.

Senator Redditt sent up an amendment:

Amend the amendment by substituting \$6000.00 for \$5800.00.

REDDITT.

The amendment by Senator Redditt for the amendment by Senator Davis lost by the following vote:

Yeas—10.

Burns.	Redditt.
Hopkins.	Shivers.
Hornsby.	Small.
Moore.	Van Zandt.
Pace.	Woodruff.

## Nays—14.

Beck.	Neal.
Collie.	Oneal.
Cotten.	Poage.
Davis.	Sanderford.
DeBerry.	Stone.
Hill.	Sulak.
Holbrook.	Westerfeld.

## Absent—Excused.

Fellbaum.	Martin.
Hughston.	

## (Pairs Recorded.)

Senator Rawlings (present) who would vote yea, with Senator Blackert (absent) who would vote nay.

Senator Duggan (present) who would vote nay, with Senator Regan (absent) who would vote yea.

The amendment by Senator Davis was adopted by viva voce vote.

Senator Cotten sent up the following amendment:

Amend C. S. to H. B. No. 417, by striking out in line 52, page 4, the figures \$7200.00 and inserting the sum of \$6500.00, and changing the figures \$21,000.00 in same line to read \$19,500.00.

COTTEN.

Read.

## Motion to Table.

Senator Burns moved to table the amendment by Senator Cotten.

The motion to table lost by the following vote:

## Yeas—12.

Beck.	Redditt.
Burns.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Pace.	Woodruff.

## Nays—12.

Collie.	Neal.
Cotten.	Oneal.
Davis.	Poage.
DeBerry.	Sanderford.
Hill.	Sulak.
Holbrook.	Westerfeld.

## Absent—Excused.

Fellbaum.	Martin.
Hughston.	

## (Pairs Recorded.)

Senator Rawlings (present) who would vote yea, with Senator Blackert (absent) who would vote nay.

Senator Duggan (present) who would vote nay, with Senator Regan (absent) who would vote yea.

The question recurred on the adoption of the amendment by Senator Cotten.

The amendment by Senator Cotten failed of adoption by the following vote:

## Yeas—10.

Collie.	Neal.
Cotten.	Oneal.
Davis.	Poage.
DeBerry.	Sulak.
Hill.	Westerfeld.

## Nays—13.

Beck.	Redditt.
Burns.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Moore.	Woodruff.
Pace.	

## Absent—Excused.

Fellbaum.	Hughston.
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## (Pairs Recorded.)

Senator Duggan (present) who would vote yea, with Senator Regan (absent) who would vote nay.

Senator Rawlings (present) who would vote nay, with Senator Blackert (absent) who would vote yea.

Senator Sanderford (present) who would vote yea, with Senator Martin (absent) who would vote nay.

Senator DeBerry sent up the following amendment:

Amend C. S. to H. B. No. 417, by making salaries of Judges of Supreme Court \$6730.00 per year.

DeBERRY.

Read.

Senator Woodruff sent up the following amendment to the DeBerry amendment:

Amend the amendment by substituting the figures \$7,000.00 for the figures in the amendment.

WOODRUFF.

Read.

The amendment by Senator Woodruff to the amendment by Senator DeBerry lost by viva voce vote.

The amendment by Senator DeBerry was adopted by viva voce vote. Senator Redditt sent up the following amendment:

Amend by making salaries of Judges of Court of Criminal Appeals and Supreme Court \$6730.00 each per year and Commission of Appeals aiding Supreme Court and Court of Criminal Appeals at \$5800.00 each per year.

REDDITT.

Read and adopted.

Senator Hill sent up the following amendment:

Amend line 30, page 5, by striking out the figures \$1800.00 and inserting in lieu thereof the figures \$2000.00.

HILL.

Read and adopted.

Point of Order.

Senator Poage raised the point of order, that the further consideration of the bill as amended was out of order as the Senate cannot amend the general statutes by an appropriation bill.

The Chair, Senator Small presiding, overruled the point of order.

H. B. No. 417 as substituted and amended was read the second time and passed to third reading by the following vote:

Yeas—15.

Beck.	Redditt.
Burns.	Sanderford.
Davis.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Neal.	Woodruff.
Pace.	

Nays—9.

Collie.	Oneal.
Cotten.	Poage.
DeBerry.	Sulak.
Hill.	Westerfeld.
Holbrook.	

Absent—Excused.

Fellbaum.	Martin.
Hughston.	

(Pairs Recorded.)

Senator Rawlings (present) who would vote yea, with Senator Blackert (absent) who would vote nay.

Senator Duggan (present) who would vote nay, with Senator Regan (absent) who would vote yea.

Senator Redditt moved to suspend the constitutional rule requiring bills to be read on three several days so as to put H. B. No. 417 on its third reading.

The motion failed by the following vote:

Yeas—18.

Beck.	Pace.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Sanderford.
Duggan.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Neal.	Woodruff.

Nays—8.

Collie.	Oneal.
DeBerry.	Poage.
Hill.	Sulak.
Holbrook.	Westerfeld.

Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

House Bill No. 11.

Senator Westerfeld moved that H. B. No. 11 be set for special order, next Wednesday morning after the morning call.

Pending.

Senate Bill No. 3.

Senator Hill moved to set for special order S. B. No. 3, Monday after the morning call.

Point of Order.

Senator Rawlings raised the point of order that today was House bill day and that the Senate could not consider anything but House bills on House bill day.

The Chair, Senator Small presiding, sustained the point of order.

The Chair stated that the time for the discussion of the matter had expired.

**House Bill No. 11.**

The question recurred on the motion of Senator Westerfeld to set for special order H. B. No. 11.

The motion failed by the following vote:

**Yeas—16.**

Collie.	Rawlings.
Davis.	Sanderford.
Duggan.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Poage.	Woodruff.

**Nays—10.**

Beck.	Hopkins.
Burns.	Moore.
Cotten.	Pace.
DeBerry.	Redditt.
Hill.	Shivers.

**Absent—Excused.**

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

**House Bill No. 417.****Motion to Reconsider.**

Senator Van Zandt moved to reconsider the vote by which the constitutional rule was not suspended on H. B. No. 417.

The motion prevailed by viva voce vote.

Senator Van Zandt moved to suspend the constitutional rule requiring bills to be read on three several days so as to put H. B. No. 417 on its third reading.

**Point of Order.**

Senator Poage raised the point of order that further consideration of the bill as amended was out of order as the Senate cannot amend the general Statutes by an appropriation bill.

The Chair, Senator Small presiding, overruled the point of order.

Senator Van Zandt renewed his motion to suspend the constitutional rule.

The motion failed by the following vote:

**Yeas—19.**

Beck.	Rawlings.
Burns.	Redditt.
Cotten.	Sanderford.
Davis.	Shivers.
Duggan.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Pace.	

**Nays—3.**

Collie.	Sulak.
DeBerry.	

**Present—Not Voting.**

Hill.	Oneal.
Holbrook.	Poage.

**Absent—Excused.**

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

**House Bill No. 637.**

Senator Neal received unanimous consent to take up out of its regular order H. B. No. 637.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Lange:

H. B. No. 637, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other agency of the United States Government; validating such bonds and the tax levies made for the payment of such bonds, and declaring an emergency."

The committee amendments were adopted by viva voce vote.

Senator Moore sent up the following amendment:

Amend the bill by adding to section 1 the following:

"Provided that this Act shall not validate any bonds now in litigation."

**MOORE.**

Read and adopted.

The bill was read second time as amended and passed to third reading by viva voce vote.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 637 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Pace.
Burns.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Nays—2.

Collie.	Holbrook.
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Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

Read third time and finally passed by the following vote:

Yeas—15.

Beck.	Redditt.
Duggan.	Sanderford.
Hill.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Neal.	Westerfeld.
Oneal.	Woodruff.
Rawlings.	

Nays—7.

Burns.	Holbrook.
Collie.	Moore.
Davis.	Poage.
DeBerry.	

Present—Not Voting.

Cotten.	Pace.
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Absent.

Sulak.	Van Zandt.
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Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

Senator Woodruff received unanimous consent to suspend the regular

order of business so as to make a motion.

### Motion to Suspend Rule.

Senator Woodruff moved to suspend the constitutional rule relating to the time for introduction of bills.

The motion prevailed by the following vote:

Yeas—25.

Beck.	Oneal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Sanderford.
DeBerry.	Shivers.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Hornsby.	Westerfeld.
Moore.	Woodruff.
Neal.	

Present—Not Voting.

Poage.

Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

### Senate Bill No. 464.

By Senator Woodruff:

S. B. No. 464, A bill to be entitled "An Act amending Article 6016 of the 1925 Revised Civil Statutes requiring that all natural gas when encountered in any well in this State, producing natural gas only, be confined to its original horizon until same can be produced and utilized without waste for some useful and lawful purpose, and requiring the protection of such horizon from infiltrating waters; prohibiting any person, firm, corporation, in possession as owner, lessee, agent, trustee, receiver, or manager, of any well producing natural gas only, or any person, firm, co-partnership, corporation, agent, trustee or receiver, receiving, purchasing, or processing natural gas from any such well from wasting such gas into the air in its natural state or as residue gas from a natural gasoline plant or otherwise, whether such gas be burned as it escapes or not; and fixing a penalty for the violation thereof and



providing means for the recovery of such penalty; repealing all laws or parts of laws in conflict and providing that if any portion of the Act be declared unconstitutional the remaining portions thereof shall nevertheless be valid; and declaring an emergency."

Read and referred to the Committee on Mining, Irrigation and Drainage.

#### Motion to Reconsider.

Senator Neal moved to reconsider the vote by which H. B. No. 637 was finally passed and spread on the Journal.

#### Motion to Reconsider.

Senator Pace moved to reconsider the vote by which the Senate failed to suspend the rule on H. B. No. 417.

The motion to reconsider prevailed by viva voce vote.

#### Motion to Suspend Rule.

Senator Pace moved to suspend the constitutional rule requiring bills to be read on three several days so as to put H. B. No. 417 on its third reading.

The motion lost by the following vote:

#### Yeas—19.

Beck.	Rawlings.
Burns.	Redditt.
Davis.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Pace.	

#### Nays—3.

Collie.	Holbrook.
DeBerry.	

#### Present—Not Voting.

Oneal.	Poage.
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#### Absent.

Cotten.	Sulak.
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#### Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

#### Senate Bill No. 460.

#### Motion to Concur.

Senator Moore moved that the Senate do concur in House amendments to S. B. No. 460.

#### Substitute Motion.

Senator Holbrook, as a substitute moved that the Senate do not concur in House amendments to S. B. No. 460 and that a conference committee be appointed to adjust the differences between the two Houses.

The substitute motion prevailed by the following vote:

#### Yeas—11.

Beck.	Pace.
Burns.	Poage.
Collie.	Redditt.
DeBerry.	Sanderford.
Duggan.	Small.
Holbrook.	

#### Nays—10.

Davis.	Neal.
Hill.	Oneal.
Hopkins.	Rawlings.
Hornsby.	Stone.
Moore.	Woodruff.

#### Absent.

Cotten.	Van Zandt.
Shivers.	Westerfeld.
Sulak.	

#### Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

#### Conference Committee Appointed

The Chair appointed the following conferees on the part of the Senate on S. B. No. 460:

Senators Moore, Holbrook, Davis, Poage and Hill.

#### House Bill No. 425.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Reader:

H. B. No. 425, A bill to be entitled "An Act making an appropriation for the support, maintenance, and extra help for the State laboratories of the State Health Department; no salary

paid out of this appropriation to exceed fifty dollars (\$50) per month, and declaring an emergency."

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 425 was put on its third reading and final passage by the following vote:

**Yeas—26.**

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

**Absent—Excused.**

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

Read third time and finally passed by the following vote:

**Yeas—22.**

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
Duggan.	Redditt.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Woodruff.

**Present—Not Voting.**

DeBerry.

**Absent.**

Sulak.	Westerfeld.
Van Zandt.	

**Absent—Excused.**

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

**House Bill No. 494.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tillery:

H. B. No. 494, A bill to be entitled "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1935 at the several State institutions of higher learning in the State of Texas; authorizing the expenditure by said institutions of certain additional amounts from fees collected from summer school students; and fixing the amount of admission, matriculation, and tuition fees for said institutions, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee substitute was adopted by viva voce vote.

**Vote Recorded.**

Senator DeBerry asked to be recorded as voting "No" on the adoption of C. S. to H. B. No. 494.

The bill was read second time as substituted and passed to third reading by viva voce vote.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 494 was put on its third reading and final passage by the following vote:

**Yeas—26.**

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

**Absent—Excused.**

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

Read third time and finally passed by the following vote:

**Yeas—20.**

Beck.	Davis.
Burns.	Duggan.
Cotten.	Hill.

Hopkins.	Redditt.
Hornsby.	Sanderford.
Moore.	Shivers.
Neal.	Small.
Oneal.	Stone.
Pace.	Westerfeld.
Rawlings.	Woodruff.

Nays—4.

Collie.	Holbrook.
DeBerry.	Poage.

Absent.

Sulak.	Van Zandt.
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Absent—Excused.

Blackert.	Martin.
Fellbaum.	Regan.
Hughston.	

#### House Bill No. 417.

Senator Hopkins moved to reconsider the vote by which the rule failed of suspension as to H. B. No. 417.

#### Point of Order.

Senator DeBerry raised the point of order that the motion was out of order because the motion to reconsider had previously been made and acted upon and you cannot continuously reconsider any motion.

The Chair, Senator Small presiding, sustained the point of order.

#### Senate Bill No. 138.

Senator Redditt moved that the Senate do concur in House amendments to S. B. No. 138.

The motion prevailed by viva voce vote.

#### Resolutions Referred.

H. C. R. No. 31, referred to the Committee on State Affairs.

H. C. R. No. 17, referred to the Committee on Federal Relations.

H. C. R. No. 58, referred to the Committee on State Affairs.

H. C. R. No. 50, referred to the Committee on Agriculture.

#### Motion to Recess.

Senator Hopkins at 5:15 o'clock p. m., moved that the Senate recess until 10 o'clock a. m., Monday.

#### Motion to Adjourn.

Senator DeBerry moved as a substitute that the Senate adjourn until 10 o'clock a. m., Friday.

#### Recess.

The motion to recess prevailed by viva voce vote.

#### Vote Recorded.

Senator Pace asked to be recorded as voting "No" on the motion to recess until Monday.

### APPENDIX.

#### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, Jan. 25, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 78 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, March 11, 1925.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 219 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

#### Committee Reports.

(Majority Report.)

Committee Room,  
Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, a majority of your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 116, A bill to be entitled "An Act amending Section 5 of Chapter 88, General Laws, Second Called Session of the Forty-third Legislature; regulating license fees for the registration of motor vehicles and passenger cars; reducing such license fees on passenger cars, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HOPKINS, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, a minority of the Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 116, A bill to be entitled "An Act amending Section 5 of Chapter 88, General Laws, Second Called Session of the Forty-third Legislature; regulating license fees for the registration of motor vehicles and passenger cars; reducing such license fees on passenger cars, and declaring an emergency."

Have had the same under consideration, and beg leave to dissent from the majority report on said bill and recommend that said bill do pass and be printed.

SANDERFORD,  
RAWLINGS,  
HORNSBY,  
COLLIE.

Committee Room,

Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 408, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than fifteen thousand nine hundred and seventy-five (15,975) nor more than sixteen thousand and twenty-five (16,025) inhabitants according to the last preceding United States Census, and providing how same shall be paid; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but pass with the committee substitute in lieu thereof and the committee substitute only be printed in bill form.

NEAL, Vice-chairman.

Committee Room,

Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 196, A bill to be entitled "An Act amending Article 3883, Revised Civil Statutes of 1925, as amended by the Acts of the Forty-third Legislature, Regular Session, Chapter 220, by adding a proviso for the third paragraph, applicable to counties whose population, as shown by the United States Census

Report of 1920, is between forty-three thousand (43,000) and forty-three thousand one hundred (43,100), regulating the maximum annual fees which may be retained by county and district officers, etc., all excess fees shall be paid to the county."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

NEAL, Vice-chairman.

Committee Room,

Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on County and County Boundaries, to whom was referred

S. B. No. 330, A bill to be entitled "An Act to amend Article 2350, Title 44, Revised Civil Statutes of the State of Texas, 1925, as amended by the Acts of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 290, Section 1; etc., so as to provide the salaries of county commissioners in certain counties; providing that if any part of this Act be declared unconstitutional it shall not affect any remaining part; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended by Committee Amendment No. 1 and be not printed.

NEAL, Vice-chairman.

Committee Amendment.

Amend S. B. No. 330 by changing the bracket reading "\$10,000,000 and less than \$15,000,000 not to exceed" so that it shall read "\$10,000,000 and less than \$14,000,000 not to exceed."

Amend S. B. No. 330 by changing the bracket reading "\$15,000,000 and less than \$20,000,000 not to exceed" so that it shall read "\$14,000,000 and less than \$20,000,000 not to exceed."

Committee Room,

Austin, Texas, March 21, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 431, A bill to be entitled "An Act making it unlawful to use on or about his premises any marble machine, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed.

WOODRUFF, Vice-chairman.

#### Committee Amendment No. 1.

Amend S. B. No. 431 by adding after the words "or pay meters" the words "pay-toilets and drinking cup vending machines."

#### Committee Amendment No. 2.

Amend S. B. No. 431, the caption, by adding after the words "or pay meters" the words "pay-toilets and drinking cup vending machines."

Committee Room,  
Austin, Texas, March 21, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 127, A bill to be entitled "An Act amending Articles 1029 and 1030, Code of Criminal Procedure, providing for compensation of the sheriff for removing or conveying prisoners, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODRUFF, Vice-chairman.

Committee Room,  
Austin, Texas, March 21, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 322, A bill to be entitled "An Act making it a misdemeanor for peace officers to demand fees of office in certain prosecutions, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODRUFF, Vice-chairman.

Committee Room,  
Austin, Texas, March 21, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 386, A bill to be entitled "An Act amending Article 625, Penal Code, by adding thereto authority for concurrent venue in cases where parties are charged with the violation of the gaming laws of this State, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODRUFF, Vice-chairman.

Committee Report,  
Austin, Texas, March 21, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 323, A bill to be entitled "An Act requiring dealers in second-hand oil field supplies to obtain a license, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODRUFF, Vice-chairman.

Committee Room,  
Austin, Texas, March 21, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 427, A bill to be entitled "An Act amending Article 4667 of the Revised Civil Statutes, 1925, so as to provide and enjoin duties upon the district attorney, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODRUFF, Vice-chairman.

Committee Room,  
Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 189, A bill to be entitled

"An Act to regulate the occupation of hairdressers and cosmetologists."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

Committee Room,  
Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 396, A bill to be entitled "An Act amending Chapter 204 of the Acts of the Regular Session, Forty-first Legislature, by adding to said Act another section to be known as Section 6-a, making it unlawful for any person, association or corporation to charge or receive compensation for the placement of a child under fifteen (15) years of age."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BECK, Chairman.

Committee Room,  
Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 329, A bill to be entitled "An Act prescribing qualifications of nurses' training schools; making provision for a minimum number of beds and daily average of patients required of a general hospital to which schools of nursing may be attached; defining general hospital as used herein; providing for certificates for graduates from nursing schools after completion of certain work; providing for examination by the State Board of Nurse Examiners after such graduation and payment of fees; providing a saving clause, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.

Committee Room,  
Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Fi-

nance, to whom was referred

H. B. No. 763, A bill to be entitled "An Act providing for relief for the Hooks Independent School District of Bowie County, Texas, in order to aid said district in rebuilding its properties and equipping its school which was destroyed by fire on the 11th day of February, A. D. 1935; providing for work relief; making an appropriation to said district for said property, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute for said bill do pass and be printed in lieu of the original bill, in bill form.

REDDITT, Chairman.

Committee Room,  
Austin, Texas, March 20, 1935.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 36, A bill to be entitled "An Act making appropriations for the support, maintenance, operation, and improvement of the State institutions of higher learning for the two fiscal years beginning September 1, 1935, and ending August 31, 1937, prescribing certain restrictions concerning the expenditure of said appropriations, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute for said bill do pass and be printed in lieu of the original bill, in bill form.

REDDITT, Chairman.

#### Minutes of Committee Meetings.

Minutes of Senate Finance Committee, Held March 21, 1935.

#### Regular Meeting.

Present: Redditt, Beck, Burns, Duggan, Hill, Holbrook, Hornsby, Martin, Oneal, Poage, Sanderford, Small and Van Zandt.

Absent—excused: Hopkins, Hughston, Neal, Rawlings, Regan, Stone, Sulak and Woodruff.

H. B. Nos. 763 and 36 were reported adversely with favorable committee amendments.

NOEL K. BROWN, Secretary.

Minutes of the Senate Committee on Public Health, Held March 20, 1935.

Called Meeting.

Present: Beck, Sanderford, Holbrook, Oneal, Rawlings, Redditt, Small, Woodruff and Davis.

Absent—excused: Hornsby and Hughston.

H. B. No. 189 was reported favorably.

S. B. No. 396 was reported favorably.

H. B. No. 329 was reported favorably.

BECK, Chairman.

Minutes of Committee on Counties and County Boundaries, Held March 20, 1935.

Called Meeting.

Present: Neal, Pace, Van Zandt, Cotten, Duggan, Martin and Davis.

Absent: Stone.

Absent—excused: Fellbaum.

S. B. No. 196 was reported favorably by viva voce vote with recommendation it be not printed.

S. B. No. 330 was reported favorably as amended by Committee Amendment No. 1 by viva voce vote with recommendation that it be not printed.

H. B. No. 408 was reported favorably by viva voce vote with the recommendation that it do not pass, but pass with the committee substitute in lieu thereof and the committee substitute be printed in bill form.

S. B. Nos. 172 and 249 and H. B. Nos. 53, 132, 258 and 309 were referred to a subcommittee.

MARY NICHOLS, Secretary.

Minutes of Senate Finance Committee, Held March 21, 1935.

Regular Meeting.

Present: Redditt, Beck, Burns, Duggan, Hill, Holbrook, Hornsby, Martin, Oneal, Poage, Sanderford, Small and Van Zandt.

Absent—excused: Hopkins, Hughston, Neal, Rawlings, Regan, Stone, Sulak and Woodruff.

H. B. No. 763 and S. B. No. 36 were reported adversely with favorable committee amendments.

NOEL K. BROWN, Secretary.

Minutes of the Labor Committee, Held March 18, 1935.

Present: Shivers, Small, Wood-

ruff, Poage, Sanderford, Cotten, Davis, Sulak and Westerfeld.

Absent: Blackert, Rawlings and Oneal.

Absent—excused: Fellbaum.

S. B. No. 398 by Hill was the first to be considered by the committee. Persons speaking:

For: Senator Joe Hill, and Walter Reilley, American Federation of Labor.

Against: Ex-Senator John H. Bailey, Austin, Texas, Texas Telephone Association; Oscar Burton, Tyler, Texas, Texas Telephone Association, president; H. M. Stewart, Austin, Texas, managing secretary, Texas Telephone Association; Sam Shuttle, Texas Telephone Association.

Senator Shivers offered the following Committee Amendment No. 1 which was adopted:

"After the words 'rural districts' strike out the rest of the sentence and add 'and in cities, towns, and villages of less than fifteen hundred (1500) population.'"

Senator Sulak moved that the bill as amended be reported favorably with the recommendation that it do pass. The motion failed to carry, and the bill was reported unfavorably by a vote of five to three, as follows:

Against: Small, Woodruff, Sanderford, Cotten and Davis.

For: Shivers, Poage and Sulak.

Senator Poage moved the committee adopt the favorable subcommittee report on H. B. No. 115 with subcommittee amendment and that the bill be reported back to the Senate with the recommendation that it do pass and be printed as amended. The motion carried.

On motion of Senator Woodruff, the committee stood at recess.

MIKE MASON, Secretary.

#### FORTY-FIRST DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

March 25, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

#### S. J. R. No. 26.

The Chair laid before the Senate on its second reading the following resolution which had been laid on